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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 SUN MICROSYSTEMS, INC.,

No. C-07-05488 EDL

9 Plaintiff,

**ORDER REGARDING STIPULATION
REGARDING CLAIM CONSTRUCTION
SCHEDULE**

10 v.

11 NETWORK APPLIANCE, INC.,

12 Defendant.
13 _____/

14 The parties submitted a stipulation to modify the claim construction schedule. Regarding the
15 parties' proposed briefing schedule, the Court is amenable to continuing the due dates for the
16 opening and responsive claim construction briefs to Monday, September 15 at noon, and to Monday,
17 September 29 at noon, respectively. The Court, however, will not move the reply brief date, as
18 Monday October 13, 2008 is a federal holiday. Furthermore, in light of the holiday, the parties'
19 reply briefs shall be filed no later than 5:00 p.m. on Friday, October 10, 2008. The parties may
20 either keep the briefing schedule as is, or move only the opening and responsive briefs as discussed
21 above. The parties shall notify the Court of their final decision regarding the briefing schedule by
22 September 11, 2008.

23 The tutorial in this case shall be continued from Wednesday, October 15, 2008 to Monday,
24 October 20, 2008 at 9:30 a.m.

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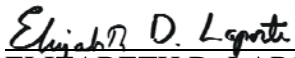
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1 The claim construction hearing for the terms identified for construction for the Sun patents
2 shall be held on November 10, 2008 at 9:30 a.m., and the claim construction hearing for the terms
3 identified for construction for the NetApp patents shall be held on November 24, 2008 at 9:30 a.m.

4 **IT IS SO ORDERED.**

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6 Dated: September 9, 2008

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8 ELIZABETH D. LAPORTE
9 United States Magistrate Judge
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